

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JUDY A. MORRELL,

Plaintiff,

vs.

CR. No. 00-1385 JC

VONNA YEAGER,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER came on for consideration of Defendant's Motion to Dismiss Pursuant to Fed. R. Crim. P. 12(b), filed July 24, 2001 (*Doc. 4*). The Court has reviewed Defendant's motion, memoranda in support thereof and all relevant authorities. Local criminal rule 16.3 states that provision 7.3 of the local civil rules shall apply to motions filed in criminal cases. *See* D.N.M.LR-Cr. 16.3. Pursuant to D.N.M. LR-Civ 7.3(a)(4), the Court concludes that Plaintiff has consented that briefing is complete. The Court, therefore, finds that Defendant's motion is well taken and is granted.

Dated January 3, 2002.



SENIOR UNITED STATES DISTRICT JUDGE

Attorney for Defendant:

Michael H. Hoses
Assistant U.S. Attorney
Albuquerque, New Mexico

Judy Morrell, *Pro Se* Plaintiff